

NO. 26197

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JOSEPH R. THAMES, Plaintiff-Appellant

vs.

DEBORAH Y. MILLER, aka DEBORAH YOLANDA MILLER, DEBORAH Y. RICHARDSON, DEBORAH YOLANDA RICHARDSON, DEBORAH Y. MILLER-RICHARDSON, DEBORAH YOLANDA MILLER-RICHARDSON, Defendant-Appellee

and

DOES 1 through 500, Inclusive, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 00-1-1056)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, and Duffy, JJ.
and Circuit Judge Wong, in place of Acoba, J. recused)

Upon consideration of the motion for reconsideration of the April 13, 2004 order dismissing appeal, the papers in support and the record, it appears that the time for moving for reconsideration of the April 13, 2004 order expired on April 23, 2004 and the motion for reconsideration filed on May 11, 2004 is untimely. See HRAP 40(a) ("A motion for reconsideration may be filed by a party only within 10 days after the filing of the opinion, dispositional order, or ruling unless by special leave additional time is granted during such period by a judge or justice of the appellate court involved."). Therefore,

IT IS HEREBY ORDERED that the motion for
reconsideration is denied.

DATED: Honolulu, Hawai'i, May 20, 2004.